

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FCSTONE MERCHANT SERVICES, LLC	§ § § § § §	
<i>Plaintiff,</i>	§	
v.	§	Civil Action No. 4:20-cv-03693
SGR ENERGY, INC., ST SHIPPING & TRANSPORT PTE LTD, and THOMAS SAN MIGUEL, individually,	§ § § § § §	
<i>Defendants.</i>	§	

**NOTICE OF DISMISSAL OF SGR ENERGY, INC.'S BANKRUPTCY ACTION AND
TERMINATION OF AUTOMATIC STAY**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Plaintiff, FCStone Merchant Services, LLC (“FMS”), files this Notice of Dismissal of SGR Energy, Inc.’s Bankruptcy Action and Termination of Automatic Stay, and respectfully states as follows:

1. On November 17, 2021, SGR Energy Inc. (“SGR”) filed a *Notice of Suggestion of Bankruptcy* [Dkt. No. 60], wherein SGR advised this Court that it filed for Bankruptcy in the United States Bankruptcy Court for the Southern District of Texas, Victoria Division styled as *In re SGR Energy, Inc.*, Case No. 21-60090 (CML) (the “Bankruptcy Action”).

2. As a result of the Bankruptcy Action and pursuant to Title 11 U.S.C. § 101, this Court entered an order staying this lawsuit on November 30, 2021 (the “Stay”) Dkt. No. 61.

3. The Bankruptcy Action was dismissed on January 21, 2022. *See Bankruptcy Action Order Dismissing Case*, attached hereto as **Exhibit A**.

4. As a result of the dismissal of the Bankruptcy Action, the Stay is terminated as a matter of law. *See Williams v. Countrywide Home Loans, Inc.*, 504 F. Supp. 2d 176, 194 (S.D. Tex. 2007) (“A bankruptcy court’s dismissal of a bankruptcy proceeding terminates the automatic stay.”).

5. Pursuant to the Court’s directives, and due to the impact of the Stay on discovery efforts, expert and trial deadlines in this lawsuit, FMS is working with Defendants to prepare and submit an amended proposed scheduling order with new deadlines to govern this lawsuit.

WHEREFORE, PREMISES CONSIDERED, FMS respectfully requests that this Court take notice that SGR’s Bankruptcy Action has been dismissed, which terminates the Stay as a matter of law, and for all other relief, at law or in equity, to which FMS may be justly entitled.

Dated this 8th day of February, 2022

Respectfully submitted,

/s/ Yasser A. Madriz

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***ATTORNEYS FOR PLAINTIFF,
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LLC***

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2022, a true and correct copy of the foregoing document was served via ECF to:

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/s/ Yasser A. Madriz

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